

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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GRANT v. NATIONAL BOARD OF  
MEDICAL EXAMINERS, ET AL.

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7:07-CV-996 (TJM/GJD)

C. EARL GRANT, *Pro Se* Plaintiff  
THOMAS S. D'ANTONIO, ESQ., For Defendants  
HILDRETH J. MARTINEZ, ESQ., For Defendants

**ORDER**

The *pro se* plaintiff in this case, C. Earl Grant, has been forwarding to my chambers copies of numerous papers in this litigation which are a combination of correspondence between the plaintiff and individuals in the National Board of Medical Examiners or insufficient applications to the court. These submissions have been received on September 23, 2008, October 2, 2008, October 20, 2008, and approximately October 24, 2008.

Recently, the court received plaintiff's "Motion to Amend Complaint and Request Discovery" which is presently under review. The court has not yet filed these papers, and will most likely file them under seal since they contain allegations about plaintiff's former attorney, Stefan Berg.

Plaintiff has failed to follow the rules of this court as follows:

1. Plaintiff has ***not filed a change of address with the clerk.*** In his latest submission ("Motion to Amend Complaint and Request Discovery"), plaintiff uses an address of Headquarters, US Army Medical Department Activity, 9501 Farrell

Road, Suite E-14, Fort Belvoir, Virginia, 22060-9501. The court will direct the clerk to change plaintiff's address on the docket. ***Plaintiff is hereby directed to inform the clerk and the attorneys for defendants of any change in his address.***

2. Plaintiff has been sending to the court discovery documents and/or correspondence between himself and other individuals. Discovery documents are ***not to be filed with the court unless in connection with a motion to compel discovery*** under Local Rule 26.2. Prior to ***any motion for discovery relief***, plaintiff must attempt to resolve any discovery issues with opposing counsel.

3. Plaintiff has telephoned my chambers on two occasions, Monday, November 10, 2008 and Thursday, November 13, 2008. Plaintiff is directed to ***stop telephoning chambers to discuss aspects of this case***. Plaintiff is further directed ***not to submit any papers by facsimile transmission to either my chambers or the Clerk's Office. All communications to this court must be in writing and copies must be simultaneously served on opposing counsel with a certification that opposing counsel was served.***

Plaintiff is directed ***not*** to telephone chambers of United States Magistrate Judge Di Bianco and may submit requests only in written form with copies simultaneously sent to opposing counsel.

I have been advised that the Clerk of the Court has sent to the plaintiff copies of an order and a defense response which plaintiff stated he had not

received.

**WHEREFORE** it is hereby

**ORDERED** that plaintiff *file a change of address with the Clerk*; and it is further

**ORDERED** that plaintiff not *telephone chambers of United States Magistrate Judge Di Bianco to discuss aspects of this case*; and it is further

**ORDERED** that plaintiff not *submit any papers to my chambers or the Clerk's Office by facsimile transmission.*

Date: November 13, 2008

  
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Hon. Gustave J. DiBianco  
U.S. Magistrate Judge